Saint Paul Planning Commission City Hall Conference Center 15 Kellogg Boulevard West

Minutes May 8, 2009

A meeting of the Planning Commission of the City of Saint Paul was held Friday, May 8, 2009, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Mmes. Faricy, Lu, Morton, Smitten, Thao, Wencl; and

Present: Messrs. Alton, Barrera, Bellus, Commers, Goodlow, Gordon, Johnson, Kramer,

Nelson, and Spaulding, and Ward.

Commissioners

Absent:

Mmes. *Donnelly-Cohen, *Porter, and Messrs. *Margulies, and *Schertler

*Excused

Also Present: Donna Drummond, Interim Planning Administrator; Allan Torsternson, Patricia

James, Penelope Simison, Luis Pereira, Josh Williams, Anton Jerve, Emily

Goodman, and Sonja Butler, Department of Planning and Economic

Development staff.

I. Approval of minutes April 24, 2009.

MOTION: Commissioner Johnson moved approval of the minutes of April 24, 2009. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.

II. Chair's Announcements

Chair Alton announced that the agenda has been revised to have Luis Jambois, President of the Saint Paul Port Authority, here as a guest speaker. Mr. Jambois will be speaking right after the Zoning Committee business.

III. Planning Administrator's Announcements

Donna Drummond reported on planning-related business at the City Council for May 6th, announcing that the rezoning application for 400 Western Avenue N. for an assisted living facility was approved. She also announced that the Planning Commission's approval of an enlargement of nonconforming use permit for 388 Como has been appealed by the Department of Public Works. At the May 6th City Council meeting there was a public hearing on the final order for acquiring the property needed for the Pierce Butler Route extension, including 388 Como. The Council decided to continue the public hearing until July 1, 2009. Finally, the previous night the governor vetoed a bill that would have provided forgiveness for part of the Xcel Energy Center loan that the city has and that forgiveness would have allowed the city to fund the practice facility complex for the Minnesota Wild (The Pond project) across 7th Street from Xcel.

IV. Zoning Committee

NEW BUSINESS

#09-052-210 Susan Taylor – Conditional Use Permit for a transitional housing facility for six (6) residents and variance of required parking (3 spaces required, 2 spaces proposed). 741 3rd Street East between Maple and Bates. (*Luis Pereira*, 651/266-6591)

<u>MOTION</u>: Commissioner Morton moved the Zoning Committee's recommendation to approve the conditional use permit and variance. The motion carried unanimously on a voice vote.

Commissioner Morton announced the agenda for the next Zoning Committee meeting on May 14, 2009.

V. Saint Paul Port Authority Updates – Presentation by Louis Jambois, Saint Paul Port Authority. Mr. Jambois will give his vision for the future of the Port Authority; the working relationship with PED; and updates on 3M and activities at the Legislature. (Donna Drummond, 651.266-6556)

Louis Jambois, president of the Saint Paul Port Authority, gave some background about himself. Mr. Jambois said that he wants to continue the focus on job creation and tax base revitalization, because that is what the Port Authority does best. In addition the Port needs to maintain its financial sustainability over the long term. In terms of internal resources, the Port does not have the financial capacity to land bank, but must buy, prepare and sell property in order to maintain fiscal stability. They also continue to operate the City's port operations, which are the name sake of the organization. The port ships 9 million tons of product in and out of Saint Paul's harbor every year.

Mr. Jambois said the Port will continue to advocate at the Capitol. The Port Authority in conjunction with the City of Saint Paul and other economic development partners meet periodically to work on various initiatives. Mr. Jambois said that the Port is opposed to the legislation currently under consideration at the capitol regarding Mississippi River critical area regulation. Their concern is that the proposed legislation will make non-conforming uses out of several of their most prominent businesses and some of their business parks. The Port Authority also works on contamination clean up, and uses program that run through the state and the Metropolitan Council, including its tax base revitalization program. The Port has partnered with Commissioner Smitten and others to oppose the Met. Council's proposed movement of funding from that program to transit operations. It is a hard sell, as it's a "Sophie's Choice" for the legislature, because they know there is not enough money to operate the transit system and do some of the other important things. Mr. Jambois also talked about having a good relationship with PED, and provided an update on current planning activities related to the 3M site.

Commissioner Smitten asked how the job programs interface with PED. Where are the green jobs and what are the strategies to bring in those jobs?

Mr. Jambois said that they are working on those strategies now. Janet Luddin, head of the Port's Employer Solutions program, tries to match business needs with the various resources on the federal, state and local level. She has been very successful.

Commissioner Johnson asked if Mr. Jambois could share his observations and perspective on the 3M situation.

Mr. Jambois said the Port Authority owns 35 of the 46 acres of the 3M complex. 3M has abandoned most of it. They currently have eight boiler operators in building #1 and two sprinkler operators that work in the complex, otherwise there are no other employers on the site. The Port has a purchase agreement with 3M for the remaining eleven acres. The property was subdivided at 3M's request and the part that they own is the property that they had abandoned last, which is their office buildings. The Port has a decision to make about actually closing on purchase of the eleven remaining acres. He added that the entire 3M site is eligible for inclusion on the National Register of Historic Places. The Port will go through a historic review process called the Section 106 process. This process is necessary because the Port is going to use Environmental Protection Agency funds, which is federal money, and federal money mandates a historic review. This process should be concluded in August or September. The challenge for those buildings will be whether to keep them, or tear them down and build new. This decision will have to be based on what is going to work in the market place.

Commissioner Morton inquired as to which buildings they might want to save. Would that include building 21?

Mr. Jambois said he thinks the strongest sentiment is around building 21 and that some people want to save them all and some people do not want to preserve any of them. But to the extent that there is one building he thinks it would be building 21.

Commissioner Gordon asked whether there is a significant difference in cost between preservation and demolition.

Mr. Jamobis said there is a cost differential between preservation and demolition, and it will cost a lot to retrofit and subdivide existing buildings. Based on the Port Authority's experience in the past, any building they keep will be subdivided, and there will be costs. The Port thinks that once they spend the money the value of those buildings in the market place is going to be significantly less then the cost of doing that work. Further, once those buildings are retrofitted, who will occupy them is another question. There have been a few tire kickers around for the site, but mostly they say they would prefer the site without the buildings.

Commissioner Ward asked what the Planning Commission and other strategic partners could do to help with sustainability for the Port Authority.

Mr. Jambois said that the Port needs a certain amount of autonomy to be able to do its work, and that creates an inherent tension in terms of public process. From a resource stand point, if they are going to move Saint Paul into the future new economy, they are going to need capital resources to stimulate development. This will help ensure that new investment is attracted to Saint Paul and the upper Midwest, as opposed to any place else that it could go.

Commissioner Bellus mentioned that Mr. Jambois talked about the Port's need for quasi-independence and the obligation to shepherd limited resources. Can you speak about why those issues are so critical for the future of the Port Authority?

Mr. Jambois said that the Port Authority needs to determine before it commits resources that it can actually get the project done. And getting projects done requires know-how, local financial resources, and political will to do the project. Progress is always challenging. So enough independence and financial acumen are needed to make the right decisions and pull off specific projects. Places that do not have those characteristics don't get anything done.

Commissioner Faricy asked about the critical area legislation, and whether it is possible to exempt the Ford site?

Mr. Jambois said they went in with a two tier approach. One approach was to just oppose the bill. That was their primary position. The fallback position was to exempt, either Saint Paul or chunks of Saint Paul. So the short answer is yes, they have thought about it and tried it. Now we will see where it goes. He is hopeful but not optimistic.

VI. American Planning Association National Conference Highlights – Presentation by PED planning staff. (*Donna Drummond*, 651/266-6556)

Donna Drummond had asked the planning staff to pass on any interesting comments they heard people make who were in town for the conference. Lucy Thompson had participated in the downtown Saint Paul walking tour. She said a number of people commented to her how favorably they could compare downtown Saint Paul with downtown Minneapolis, in terms of attractiveness and pedestrian friendliness. Jennifer Jordan, a Minneapolis planner and one of the mobile workshop organizers had thanked Saint Paul staff for stepping up and providing a number of popular workshops. The national APA staff was also pleased with how things went overall with the mobile workshops. Josh Williams noted that there was a lot of discussion surrounding water resources at the conference. There were also a few sessions organized at the last minute about the housing foreclosure crisis and the downturn of the economy.

Staff who attended some of the sessions were asked to volunteer highlights from some of the more interesting sessions. Emily Goodman talked first about an interesting session on zoning for healthy food.

Emily Goodman, PED Staff, presented information on food policy and zoning issues based on sessions she, Patricia James, and Anton Jerve had attended. Ms. Goodman talked about the growing interest in local food production and policy, including community gardens, farmers markets, neighborhood grocery store access, and backyard gardens.

Patricia James noted that this is a growing movement; there is interest across the country. Organic foods have really blossomed. She is interested in moving forward to make the Saint Paul zoning code more "farmers market-friendly".

Chair Alton said that the food safety issue should be factored in. Ms. Goodman added that in one session they talked about health and safety issues. There are a lot of issues related to this topic. There was an attorney on the panel who did go through some of the legal questions asked.

Luis Pereira presented a power point on "Blending Use and Form-Based Codes", a session he, Patricia James, and Allan Torstenson had attended. He said the session went through the history and evolution of zoning. It started with traditional land use-based zoning, and then evolved to add planned unit development-based zoning where there is a site plan of specific boundaries that

specifies approved uses and building types which becomes the mapped zoning for a site. Now the emphasis is increasingly on urban design, which is more about form, density, and design standards, and less about land use. Mr. Pereira talked about the Smart Code, which is one of the tools that have been developed around the form-based code. He spoke about the positives and negatives of form-based codes.

Donna Drummond announced that Josh Williams will be giving a presentation about encouraging a better connection between transit and land use.

Josh Williams presented information about the topic of Increasing Transit and Employment Connections, which was a session he attended. He covered the main points, the foundation and the five essentials for improving the connection between transit and land use, particularly jobsgenerating land uses.

VII. Comprehensive Planning Committee

Commissioner Wencl announced that the Committee's next meeting is on Tuesday, May 12, 2009 at 4:00 p.m.

VIII. Neighborhood Planning Committee

Chair Wencl announced that the their next meeting is Wednesday, May 13, 2009 at 3:30 p.m.

IX. Communications Committee

Commissioner Smitten had no report.

X. Task Force Reports

No reports.

XI. Old Business

None

XII. New Business

None

XIII. Adjournment

Meeting adjourned at 10:23 a.m.

Donna Drummond Planning Administrator

Secretary of the Planning Commission